

REMARKS

PREVIOUSLY FILED IDS CONSIDERATION AND ACKNOWLEDGEMENT

The Office Action includes partially considered and acknowledged Information Disclosure Statements (IDS) submitted September 20, 2002 and June 6, 2003. In particular, the Examiner did not consider and/or acknowledge Attachment 1(g) and Attachment 1(f) (item 1 for copending related US patent application), of the IDS submitted September 20, 2002, and Attachment 1(g) of the IDS submitted June 6, 2003. The Applicants respectfully request that the Examiner expressly fully consider the same. In particular, the Examiner has now considered and acknowledged the same in the related pending US patent application no. 10/045,094.

In particular, regarding the Information Disclosure Statement (IDS), including ATTACHMENTS 1(g), filed on September 20, 2002 and June 6, 2003, it is respectfully requested again that the Examiner consider and expressly acknowledge without crossing out the IDS citations by initialing the citations and signing the IDS, ATTACHMENTS 1(g), so that the IDS citations will be published on the issued patent. The IDSs of September 20, 2002 and June 6, 2003 were timely filed with fees prior to issuance of an After Final Office Action or a Notice of Allowance, and the IDSs conformed to 37 CFR 1.98 and 1.97(c), (e)(1). It is understood that the USPTO must consider the September 20, 2002 and June 6, 2003 IDSs pursuant to 37 CFR 1.98 and 1.97(c), (e)(1) and MPEP 609, and therefore the Examiner should also initial the document citations in the IDS ATTACHMENTS 1(g) and sign the IDS ATTACHMENTS 1(g) so that the IDS citations will be published on the issued patent. Therefore, it is respectfully requested again that the Examiner consider and expressly acknowledge the IDSs filed September 20, 2002 and June 6, 2003 without crossing out the IDS citations by initialing the IDS citations and signing the IDS ATTACHMENTS 1(g). Another copy of the ATTACHMENTS 1(g) and 1(f) of the IDSs of September 20, 2002 and June 6, 2003 along with copies of the USPTO stamped post cards evidencing submission of the same is attached for reference convenience.

REJECTIONS

STATUS OF CLAIMS

Claims 18-24 are pending, of which claims 18, 20, 21, 22 and 23 are independent.

The Examiner rejects claims 18-24 under 35-USC 102(e) as being anticipated by Narita (US Patent No. 5,278,752). Narita is newly cited, and, thus, newly relied upon.

The foregoing rejection is traversed as follows:

Narita in column 2, lines 34-38, discloses:

It is therefore an object of the present invention to provide a proceeds processing apparatus which allows a customer to confirm the contents of proceeds processing entered by the attendant at the time of transaction, while enhancing proceeds processing efficiency.

The Examiner relies on Narita's column 3, line 54 to column 4, line 4, in pages 2-3, item 4, of the Office Action. In particular, in pages 2-3, item 4, of the Office Action, the Examiner relies on Narita, column 3, lines 58-60, which discloses:

The apparatus is, therefore, capable of settling accounts with a card 5a which may be a credit card or debit card, for example.

The Examiner in page 3, lines 3-4, of the Office Action, asserts that "such fund transfer is an identityless electronic money transfer although it can be re-tracked/audited if needed," suggesting that Narita discloses the present claimed invention's, "replacing cash with an electronic medium storing information equivalent to cash, the information having characteristics of cash to accommodate identityless monetary transactions with two or more sellers using the cash equivalent information" (e.g., claim 18).

However, in contrast to Narita, and as also discussed in the previous Amendment of September 20, 2002, the present claimed invention's electronic money has cash characteristics. Cash accommodates identityless transactions; therefore the electronic money of the invention accommodates identityless transactions. An identityless electronic monetary transaction implies transferring of money information stored in an electronic medium, such as a computer storage device or an electronic card, and specifying an amount of money to a seller, wherein the information is equivalent to cash.

For example, independent claim 18 recites a method of:

replacing cash with an electronic medium storing information equivalent to cash, the information having characteristics of cash to accommodate identityless monetary transactions with two or more sellers using the cash equivalent information.

In other words, an identityless electronic monetary transaction implies transferring of money information stored in an electronic medium, such as a computer storage device or an electronic card, and specifying an amount of money to a seller, wherein the money information is equivalent to cash. Conventional information used as electronic money does not have characteristics of cash, because the information can only be used with a seller corresponding to/recognizing the information. Conventional cashless transactions (i.e., using a train fare card or tokens or a prepaid card) are static (not dynamic) and limited to performing transaction with a single seller (entity), because these methods associate a **seller's** information with information as electronic money, thereby limiting transactions with the seller's specific information.

In contrast to typical cashless transactions, the present claimed invention provides a patentably distinguishing **method** to perform a cashless commercial transaction using electronic money **equivalent to cash** by allowing cashless monetary transactions similar to conventional cash transactions that do not require identity of an individual or the individual's account information for completing the transaction and allowing transactions with two or more different sellers. Therefore, in the present claimed invention, the electronic information has "**characteristics of cash**." For example, the present invention can associate financial institution information with the electronic money, which has a benefit of accommodating identityless electronic monetary transactions with any seller similar to cash transactions. See, for example, page 45, lines 19-25; page 51, line 14 to page 57, line 10 of the present Application. Therefore, Narita does not disclose or suggest the present claimed invention's patentably distinguishing feature of "**information having characteristics of cash** to accommodate **identityless monetary transactions with two or more sellers using the cash equivalent information**" (e.g., claim 18, emphasis added)." The identityless electronic monetary transactions with two or more sellers involve transferring the stored information equivalent to cash from the electronic medium to the two or more sellers.

In contrast to the present claimed invention, Narita discloses an attendant oriented apparatus body 1 and a customer-oriented input unit 11 (column 3, lines 27-30). The customer-oriented input unit 11 basically is located at the same place as the apparatus body 1 and in

principle is operated by a customer for confirming transaction data (column 4, lines 6-9). The Examiner relies on Narita's column 3, line 54 to column 4, line 4, in pages 2-3, item 4, of the Office Action to reject claims 18-24. However, Narita in column 3, lines 58-61, does not discuss any details of account settling with a card 5a, and contrary to the Examiner's suggestion that such account settling anticipates the present invention's claimed "**identityless** monetary transactions with two or more seller using the cash equivalent information," Narita in column 4, lines 9-14 expressly discloses:

the input unit 11 has a display 13 for allowing a customer to understand data included in a transaction as well as a customer's PIN (Personal Identification Number) entered, and a keyboard or keypad 12 which a customer may operate to enter instructions for confirmation or data as well as is or her PIN.

Narita's express disclosure that the customer can enter his/or PIN indicates that Narita does not contemplate at all the present claimed invention's "**identityless**" electronic monetary transactions, because a PIN identifies the customer for purposes of settling accounts. Further, it is known that credit card transactions involve use of the customer's account information, which identify the customer for purposes settling accounts, even in the case of not requiring the customer's signature or confirmation as suggested in Narita, column 2, lines 5-14 and relied upon by the Examiner in page 2, last 4 lines, of the Office Action. In other words, in credit card and debit card type transactions, the customer's account information is used to identify the customer and settle accounts in connection with the customer's transaction.

Therefore, Narita cannot anticipate the present invention as recited in independent claims 18, 20, 21, 22 and 23, to provide "**identityless monetary transactions with two or more sellers using the cash equivalent information**," along with other patentably distinguishing features recited in the independent claims.


CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
STAAS & HALSEY LLP

Date: August 2, 2004

By: 
Mehdi Sheikerz
Registration No. 41,307

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501